



IFW

**PATENT APPLICATION**

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of

Makoto KATASE

Group Art Unit: 2628

Application No.: 10/634,884

Examiner: W. SAJOUS

Filed: August 6, 2003

Docket No.: 109115.01

For: ELECTROOPTICAL DEVICE UTILIZING ELECTROPHORESIS

**REQUEST FOR RECONSIDERATION**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

Claims 7-9 and 11-22 are pending in this application. In reply to the April 16, 2007 Office Action, reconsideration of the rejections is respectfully requested in light of the following remarks.

**I. The §103(a) Rejections Are Moot**

Claims 7-9, 11-15 and 19-22 are rejected under 35 U.S. Patent No. 6,486,866 to Kuwahara et al. in view of U.S. Patent Application Publication No. 2005/0012981 to Miura et al.; and claims 16-18 are rejected under 35 U.S.C. §103(a) over Kuwahara in view of U.S. Patent No. 6,407,763 to Yamaguchi et al. These rejections are respectfully traversed.

Applicant respectfully asserts that both Miura and Yamaguchi are disqualified as prior art under §102. This application is a continuation-in-part of U.S. Application No. 09/822,420, which claims priority to JP 2000-104972, filed April 6, 2000 ('972). An accurate English-language translation of '972 was filed in the U.S. Patent and Trademark Office in this application on August 6, 2003.

Miura, which was filed on August 16, 2004, is a divisional of U.S. Application No. 09/572,328 filed May 18, 2000. Thus, '972 predates the filing date of the parent application of Miura.

Further, Yamaguchi was filed on July 21, 2000. Thus, '972 also predates the filing date of Yamaguchi.

Because the English-language translation of '972 that was filed on August 6, 2003 fully supports the pending claims, both Miura and Yamaguchi are qualified as prior art under §102. Thus, the §103(a) rejections over these references are moot.

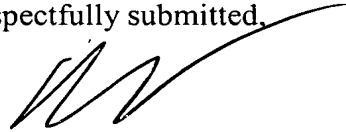
For at least these reasons, Applicant respectfully requests withdrawal of the §103(a) rejections.

## **II. Conclusion**

In view of the foregoing, it is respectfully submitted that this application is in condition for allowance. Favorable reconsideration and prompt allowance are earnestly solicited.

Should the Examiner believe that anything further would be desirable in order to place this application in even better condition for allowance, the Examiner is invited to contact the undersigned at the telephone number set forth below.

Respectfully submitted,



James A. Oliff  
Registration No. 27,075

Randi B. Isaacs  
Registration No. 56,046

JAO:RBI/hms

Date: July 16, 2007

**OLIFF & BERRIDGE, PLC**  
**P.O. Box 19928**  
**Alexandria, Virginia 22320**  
**Telephone: (703) 836-6400**

**DEPOSIT ACCOUNT USE  
AUTHORIZATION**

Please grant any extension  
necessary for entry;  
Charge any fee due to our  
Deposit Account No. 15-0461